

MEMORANDUM

TO: District of Columbia Zoning Commission

FROM: *JL for* Jennifer Steingasser, Deputy Director Historic Preservation Development Review

DATE: March 25, 2016

SUBJECT: **Final Report for ZC #15-13**, Consolidated Planned Unit Development (PUD) and related Zoning Map Amendment from C-M-1 and R-4 to R-5-B, 1309 – 1323 E Street SE and 516 13th Street SE (Square 1043, Lots 142, 849-851 and 859)

I. RECOMMENDATION

The Office of Planning (OP) recommends approval of the following:

- A consolidated PUD and PUD-related map amendment from C-M-1 and R-4 to R-5-B to permit redevelopment of the site located in Square 1043, Lots 142, 849-851 and 859 with the requested flexibility to:
 - Waive the minimum area requirement for a PUD (§ 2401.1(b));
 - Exceed the maximum permitted lot occupancy with a 76% lot occupancy where 60% would be permitted (§ 403.2);
 - Provide a reduced rear yard of 0 feet where 15 feet would be required (§ 404.1);
 - Permit a one-family dwelling on a 25-foot wide alley where a 30-foot wide alley would be required (§ 2507.2);
 - Permit a 26-foot tall one-family dwelling on the alley where a 25-foot dwelling would be allowed (§ 2507.4); and
 - Locate the parking space for the one-family dwelling off-site in the underground parking garage (§ 2116.1).
- Subject to the Applicant revising the E Street elevation; completing the IZ table; providing a detailed plan for the Potomac Avenue Metro Station improvements and completing such improvements prior to obtaining the Certificate of Occupancy; addressing FEMS comments; and resolving any remaining benefits and amenities proffer with the ANC.

The requested PUD-related map amendment to R-5-B would support the written elements of the Comprehensive Plan and would not be inconsistent with the Future Land Use and General Policy Maps.

II. PROJECT DESCRIPTION

Location: 1309 – 1323 E Street SE and 516 13th Street SE (Square 1043, Lots 142, 849-851 and 859)

Applicant/Owner: OPaL Development Company

Current Zoning: R-4 (Alley Parcel) and C-M-1 (Property)

Property Size: 30,067 square feet (0.69 acres)

Proposal: Together with a related map amendment to R-5-B, develop a 44-unit residential project, including 29 townhouses, eight flats, six loft homes, and a carriage house.¹

The total Gross Floor Area (GFA) is 87,703 square feet or an FAR of 2.92. The proposed FAR is consistent with the 3.0 FAR permitted for an R-5-B/PUD.

No less than 10% (81,719 square feet) of the residential GFA would be affordable with 80% (4 units) reserved for households making 50% of Area Median Income (AMI) or below and 20% (1 unit) reserved for households making 80% of AMI or below.

48 bicycle parking spaces would be located in the parking garage and would be accessible via the garage ramp. Short term bicycle parking spaces would also be provided with racks at street level. Parking, loading and trash collection would be accessed via the existing improved alley network adjacent to the property.

The consolidated PUD and PUD-related map amendment from R-4 and C-M-1 to R-5-B is requested to allow for the development of 44 new residential units. The project would include 87,703 square feet or an FAR of 2.92 and a maximum building height of 56.5 feet.

The Applicant has not proposed major changes to the project since set down. However; the Applicant continues to refine the benefits and amenities for the project and has generally responded to requests for additional information.

III. SITE AND AREA DESCRIPTION

The proposed development would be located on an irregularly shaped property within the Capitol Hill neighborhood and would replace an auto repair shop, parking lot, and warehouse.

The surrounding area is a mix of residential, industrial, commercial/retail, and institutional uses. Across the street to the north is the Buchanan School site, which is zoned R-4 and slated for residential redevelopment. A hardware store, also in the C-M-1 zone is directly adjacent to the Property to the east. To the east of the mid-block alley, is a garbage truck parking lot in the C-M-1 zone that is slated for redevelopment. To the south and southeast across the alley are a DDOT facility that fabricates signs and an industrial building that are in the C-M-1 zone. A small commercial/residential building in the R-4 zone is adjacent to the Property to the west and townhouses/flats, also zoned R-4, are directly to the west across the alley. To the north and west across E Street is the Watkins Recreation Center and Elementary School. To the north and east across E Street is a Safeway supermarket in the C-2-A zone.

¹ See the Applicant's Pre-Hearing Statement, January 20, 2016, Exhibits 14.

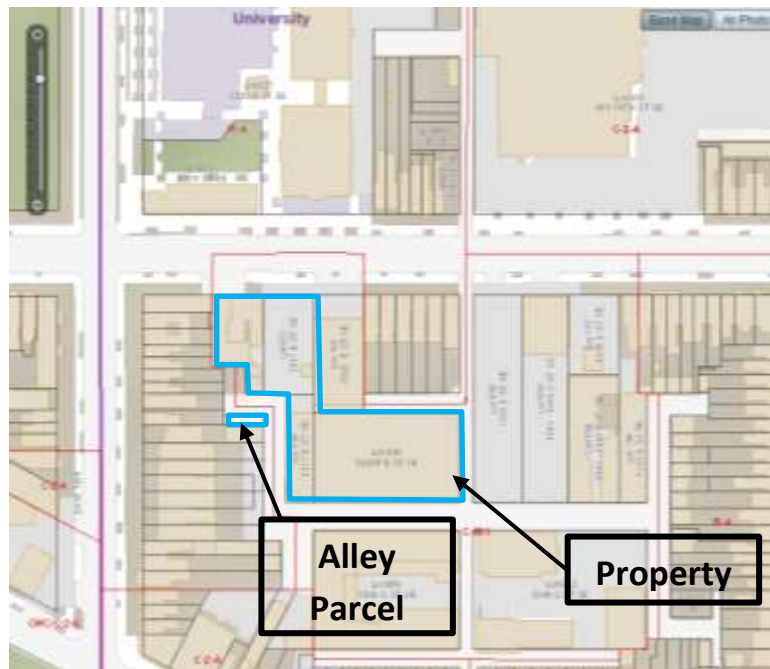
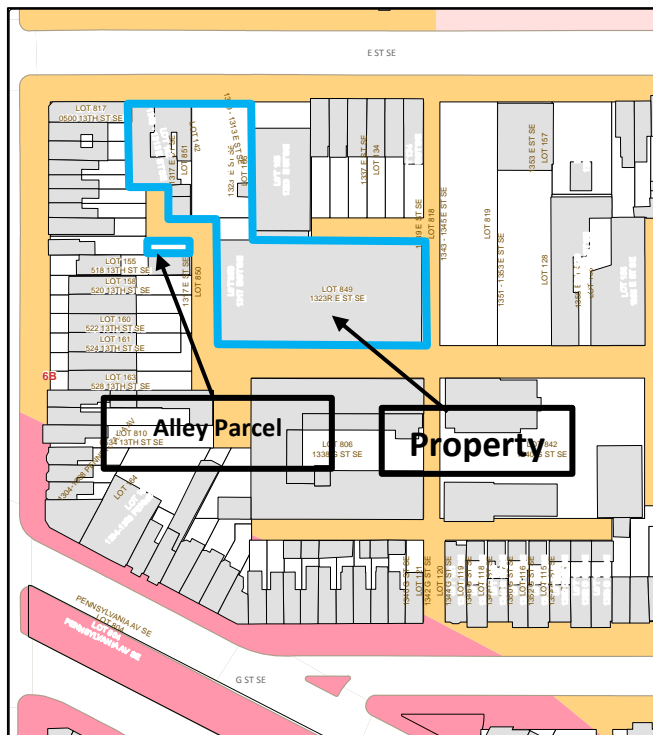


Figure 1: Location and Zoning Map

IV. COMPREHENSIVE PLAN

The Property is located in the Capitol Hill Area of the Comprehensive Plan. There are several policies within the Capitol Hill Area Element, as well as policies in the Citywide Framework (primarily the Land Use and Housing Elements), which encourage the preservation and revitalization of the neighborhood's moderate density housing. A map amendment-related PUD development facilitated by the regulations of the R-5-B District would help achieve the applicable policies. A full review of the proposal against Comprehensive Plan policy statements is provided in the previous OP reports (Exhibits 9 and 12)



The Future Land Use Map designates the subject property for Moderate Density Residential Use and the Project would be consistent with this designation.

Figure 2: Comprehensive Plan Future Land Use Map



The Generalized Policy Map locates the Property within a “Neighborhood Conservation Area.” New residential development is appropriate as it will aid in conserving the residential character of the neighborhood.

This development and the associated zone map change would not be inconsistent with the Land Use and Policy Map designations for the surrounding residential neighborhoods.

Figure 3: Comprehensive Generalized Plan Policy Map

V. ZONING

The property is zoned C-M-1 and the alley parcel is zoned R-4. The C-M-1 Zone District is an Industrial District intended to permit low bulk commercial-light manufacturing uses, and permits a maximum height of 40 feet and 3.0 FAR. The R-4 Zone District is a Residence District intended to permit row dwellings, conversions and apartments with a maximum height of 35 feet. The Applicant is requesting a map amendment to the R-5-B Zone District, which is intended to permit a moderate height and density residential. The requested map amendment is not inconsistent with the Comprehensive Plan. Project parameters, as provided in the application, are listed below.

Standard	C-M-1	R-5-B	R-5-B/PUD	Proposed ²	Flexibility
Min. Area for PUD	None	None	1 acre minimum (43,560 sq. ft.)	.96 ac. (30,067 sq. ft.)	Requested
Height:					
Main building	40 ft.	50 ft.	60 ft. maximum	56 ft. 6 in.	Complies
Alley SFD	Alley width – 25 ft.	Alley width – 25 ft.	Alley width – 25 ft.	26 ft.	Requested
FAR	3.0	2.16	3.0 maximum	2.86	Complies
Lot Occupancy	N/A	60%	60% maximum	76%	Requested
Rear Yard	4 ft./in. of height, not less than 12 ft.	4 ft./in. of height, not less than 15 ft.	4 ft./in. of height, not less than 15 ft.	0	Requested
Side Yard	None	None	None	None	Complies
Parking:					
Main building	Depends on use	1 space/2 dwelling units	1 space/2 dwelling units = 223 spaces	45 spaces	Complies
Alley SFD	1 / unit, on-site	1 / 2 units, on-site	1 / 2 units, on-site	1 space off-site	Requested

² See the Applicant’s Statement in Support, June 3, 2015, Exhibit 1, Page 15.

VI. FLEXIBILITY

The proposal requires flexibility from the Zoning Regulations as detailed below.

- Waiver of minimum area requirement for a PUD (§ 2401.1(b)) - The minimum area required for a PUD in the R-5-B zone is one acre (43,560 square feet). The Project site has an area of 30,067 square feet, which is 69% of the minimum required. Per § 2401.2, the Commission may waive up to 50% of the site area requirement for residential projects.
- Lot Occupancy (§ 403.2) - The lot occupancy limit is 60%, and the Project as proposed has a lot occupancy of 76%.
- Rear Yard (§ 404.1) - The required rear yard for the Project is 15 feet; however, the Applicant is proposing to provide no rear yard.
- Alley Lot Alley Width (§ 2507.2) - The alley on which an alley lot fronts must be at least 30 feet wide to construct a single-family dwelling. The alley on which the Carriage House fronts measures 25 feet in width.
- Alley Lot Dwelling Height (§ 2507.4) - The height of a structure on an alley lot is limited to the width of the alley, which would limit the height of the Carriage House to 25 feet. The Applicant is proposing a height of 26 feet for the Carriage House.
- Parking Space Location (§ 2116.1) - A required parking space must be located on the same lot as the structure it is intended to serve. The parking for the Carriage House would be located across the alley in the underground garage.

VII. PUBLIC BENEFITS AND AMENITIES

In its review of a PUD application, § 2403.8 states that “*the Commission shall judge, balance, and reconcile the relative value of the project amenities and public benefits offered, the degree of development incentives requested, and any potential adverse effects according to the specific circumstances of the case.*” Section 2403.9 states that “Public benefits and project amenities of the proposed PUD may be exhibited and documented in any of the following categories.” The relevant categories for the subject PUD are analyzed below.

PUD Gains

Standard	C-M-1 M-O-R	R-4 M-O-R	R-5-B PUD	Proposal	Gains Over M-O-R
Uses	Industrial, Commercial	Residential	Residential	Residential	Residential where not permitted in C-M-1
Height ft./stories	40 ft./3 stories	35 ft./3 stories	60 ft./# stories not specified	56 ft. 6 in./5 stories (property) 26 ft./2 stories (alley lot)	16 ft. 6 in./2 stories (property) 0 (alley lot)
Lot Occupancy	Not specified	60%	60% (18,040 sq. ft.)	76% (22,851 sq. ft.)	16% (4,811 sq. ft.)
FAR	3.0	N/A	3.0	2.92	0

(a) *Urban design, architecture, landscaping, or creation or preservation of open spaces;*

The Applicant is proposing a design that is not inconsistent with the Capitol Hill rowhouse community. The project includes bay front townhouses featuring red brick and standing seam metal at the roof, as well as a more industrial design for the flat and loft units that would also employ similar materials. The southern-most component of the project is more utilitarian in appearance and is reminiscent of a stable or market building.

The northernmost townhouses would have a height of approximately 44.8 feet and would not include a mechanical penthouse. The southern townhouses also would be four stories with a recessed fourth floor and would have a height of approximately 42.8 feet, with no mechanical penthouse. The portion of the building connecting the northern and southern townhouses would be 5 stories with a recessed fifth floor and would be approximately 54 feet in height.

The Commission expressed concerns about the use of the standing seam metal at the roof line and noted that the design appeared “historicist.” The Applicant could further refine the architectural design to better address the surrounding neighborhood context. The 1300 block of E Street, SE is predominantly 2-story porch front row homes with mansard attics with a mix of 1 story service buildings and 2-story commercial buildings with show window projections. The Applicant’s design features a 3-story brick clad elevation on E Street with a standing seam gable roof. The façade is composed in a traditional DC vernacular with an eclectic array of window types to add variety and 3-story projections to add visual interest. Overall the façade has a busy appearance that does not reflect the character of Capitol Hill row houses, and is not scaled adequately to fit into the neighborhood context of 2-story buildings.

To create a more contextual design that reflects the character of the neighborhood and better scales with the surrounding buildings, OP recommends that the Applicant consider:

- Reducing all the building projections to 2-story flat roof projections to scale the elevation to the neighboring 2-story buildings;
- Changing all the windows to simple double hung windows of similar size without divided lights to fit better into the 20th century context of the surrounding buildings;
- Removing all arches to reduce the eclectic feel of the façade and make it more contextual to the traditional Capitol Hill row house; and
- Separating ganged windows with a band of brickwork to match the projection architecture of traditional Capitol Hill row houses.

(b) *Site planning, and efficient and economical land utilization;*

The Applicant is proposing a 44 unit residential development that would be comprised of four components – townhouses, flats and lofts, and a carriage house. The portion of the Property closest to E Street would contain a block of nine townhouses. Six of the townhouses would front on E Street and three would be at the western side of the property - perpendicular to E Street. The townhouses would be oriented around a courtyard that would open to the south onto the alley. The Commission noted that certain units could lack ventilation as they were sited back-to-back. The Applicant noted that the floor plans located circulation in these areas where ventilation would not be an issue.

The southern portion of the Property, surrounded by the alley system, would contain another block of 20 townhouses. These townhouses would be oriented in two parallel rows facing each other with a central pedestrian mews. Linking the southern townhouse blocks would be a five-story component containing 14 lofts and flats.

The Alley Parcel, a lot across the alley to the west and south of the Property, would contain a small two-story single-family dwelling. Parking for the townhouse would be provided across the alley in the rest of the Project.

Parking for the project would be located underground and access to the parking and loading would be from the alley system (see circulation diagram below).



The Commission and some neighbors have expressed concerns about the proposed location for the garage access and loading. The Applicant has provided an analysis³ of alternate garage access locations and determined that the proposed location would take advantage of the alley width in this location and would minimize conflicts with traffic and other turning movements in the alley network.

³ See Applicant's Pre-Hearing Statement, dated January 20, 2016, Exhibit 14B.

- (c) *Effective and safe vehicular and pedestrian access, transportation management measures, connections to public transit service, and other measures to mitigate adverse traffic impacts;*

The Property is located within one-third of a mile of the Potomac Avenue Metrorail Station, which is served by the Orange and Blue Lines. The area also is well-served by Metrobus. The project would reduce vehicular and pedestrian conflicts along E Street SE by eliminating the three-bay wide curb cut that serves the existing auto-related use at the Property. On-street parking spaces would be gained through closure of the curb cut.

The Applicant has prepared a Transportation Assessment⁴ and notes that the project would result in a net decrease in the number of trips generated by the site. The Applicant has proposed a Transportation Demand Management (TDM) Plan that would include the following:

- Transportation Management Coordinator (TMC);
- Property management website with links to information on transportation programs and services;
- Bike parking in a bike storage room with parking for approximately 48 bicycles;
- One time, one year Capital Bikeshare membership or one time, one year car share membership for all new residents for the first three years the project is open; and
- Loading management plan that includes designation of a loading coordinator.

- (d) *Historic preservation of private or public structures, places, or parks;*

The existing Property has no historic buildings on site.

- (e) *Employment and training opportunities;*

The Applicant has indicated that the project would generate construction jobs and building management jobs once the project is complete.

- (f) *Housing and affordable housing;*

The Applicant will reserve ten percent (10%) of the residential gross floor area for affordable housing units subject to Inclusionary Zoning. The five IZ units will be distributed as follows:

- Two 3-bedroom townhouses and two 2-bedroom apartments (approximately 7.6% of the residential gross floor area) for households making up to 50% of the AMI; and
- One 3-bedroom townhouse (approximately 2.4% of the residential gross floor area) for households making up to 80% of the AMI.

The Applicant provided a greater level of affordability by shifting one IZ townhouse unit 80% of AMI to 50% of AMI.

The Applicant should ensure that the affordable units are distributed throughout the site and not concentrated in one location as the units appear to be located primarily in the northern portion of the project.

⁴ See Applicant's Pre-Hearing Statement, dated January 20, 2016, Exhibit 14I.

The Applicant should complete the following standard information for inclusion in the final order.

Residential Unit Type	GFA / Percentage of Total	Units	Income Type	Affordable Control Period	Affordable Unit Type	Notes
Total						
Market Rate						
IZ						
Affordable/Non IZ						

The proposed unit mix for the project is as follows⁵:

Unit Type	Number	Description	Percent
Type B and C townhouse	20	4 BR	45%
Type A townhouse	9	3 BR + Den	20%
Loft 1	3	3 BR	7%
Flat	8	2 BR	18%
Loft 2	3	1 BR + Den	7%
Carriage House	1	1 BR	2%
TOTAL	44		100%

(g) *Social services/facilities;*

The Applicant is proposing to design and construct one of the townhouse units as a “senior unit” that would incorporate design features to accommodate seniors per guidelines provided by Capitol Hill Village.

(h) *Environmental benefits;*

The Applicant is obtaining the required Green Area Ratio score of 0.42 (0.4 required) through landscaping, permeable paving, and green roof areas. The Applicant has proffered to certify the project at the Silver level under LEED for Homes version 4.

The Applicant should continue to work with DOEE to provide additional opportunities for stormwater management. While the courtyards feature porous pavers, this treatment could potentially be extended to the alleys, particularly because the Applicant is proposing alley resurfacing as a project benefit. The Applicant could work with DDOT to explore opportunities for a green alley⁶ project in the area.

⁵ See Applicant’s Supplemental Statement dated October 13, 2015, Exhibit 10B1, page A.14.

⁶ <http://ddot.dc.gov/GreenAlleys>

Benefits and Amenities

The Applicant is proposing the following project benefits and amenities.⁷

Benefit or Amenity	Mitigation	Public Benefit	Project Amenity	Required	Applicant Proffer
Improve and enhance the tree boxes on E Street (west of the alley entrance) and 13th Street sidewalks in Square 1043, subject to final approval from DDOT. Estimated value - \$20,000.		X			X
Design and construct the interior of one of the townhouse units as a “senior unit”. Estimated value - \$40,000.			X		X
Install greenery/landscaping around the Potomac Avenue Metro station elevator and remove the kiosk. Subject to WMATA’s final approval. Estimated value - \$30,000.		X			X
Subject to all final permits and approvals, resurface the portion of the alley system west of and adjacent to the project site in Square 1043 with asphalt. Estimated value - \$40,000.		X			X
Design building to satisfy the requirements of LEED Silver Version 4.		X	X		X
Install mirrors, signage, and cameras on the building to improve safety and circulation in the alley system. Estimated value - \$25,000.	X	X			X
Incorporate into the condominium documents a requirement that the condominium association will plow snow from the alley system adjacent to the project site and west of the 15-foot wide north-south alley any time there is a more than three (3) inches of snow from a single event.	X	X			X

The Applicant continues to work with ANC 6B to refine the benefits and amenities package and the ANC has suggested that the Applicant consider improvements to the fence at Potomac Gardens; development of concept drawings for redeveloping Lady Bird Park at 13th and E Street SE; support for Will Hill memorial park; as well as more detail regarding the proposed improvements at the Potomac Avenue Metro Station.

VIII. AGENCY REFERRALS

Comments were requested from:

- District Department of Housing and Community Development (DHCD);
- District Department of Energy and Environment (DOEE);

⁷ See Applicant’s Supplemental Pre-Hearing Letter dated March 14, 2016.

- District Department of Transportation (DDOT);
- DC Fire and Emergency Management Services (FEMS);
- DC Water; and
- District Department of Public Works.

Since this case was set down on November 9, 2015, OP has continued to work with the Applicant and other District agencies, including DDOT and DOEE, to obtain additional information and to address concerns noted by the Zoning Commission.

OP held an interagency meeting on March 3, 2016, at which DOEE and DHCD provided comment.

The following comments also were received via e-mail from FEMS. FEMS Office of the Fire Marshal has no objection to this request being approved if the following requirements are adhered to: 1.) No existing FD connections and fire hydrants can be obstructed/ blocked in a way that will prevent emergency access. 2.) Fire access to the referenced and the adjacent properties, lots, and squares are not compromised and is maintained in accordance with Chapter 5, Fire Service Features, and Section 503 “Fire Apparatus Access Roads” in the 2012 International Fire Code. A fire access road shall have a width of 20’ and a vertical clearance of 13 ½’. Additionally, the fire department access road shall be located within 150’ of a structure. These comments have been provided to the applicant for response, prior to or at the public hearing.

IX. PUBLIC COMMENTS

The Applicant met with ANC 6B as part of its community outreach. Comments were received from adjoining neighbors (Exhibits 20, 23, and 27). Concerns have been expressed about the cumulative impacts of proposed development in the area. Other concerns include the alley width; parking in the alley; security related to the E Street pedestrian passageway; and the proposed location for the parking garage access.

X. COMMISSION CONCERNS

At its July 27, 2015 public meeting, the Zoning Commission deferred a decision regarding setdown of the consolidated PUD and PUD-related map amendment requested by the Applicant. The Applicant revised the PUD submittal⁸ and the Commission on November 9, 2015 voted to set the application down for public hearing. While the Commission noted that the revised submittal was responsive, remaining concerns about the design and circulation were noted. The Applicant subsequently submitted its Pre-Hearing Statement and supplemental information, Exhibits 14 and 25, which respond to Zoning Commission comments and concerns.

⁸ See Applicant’s Supplemental Statement, dated October 13, 2015, Exhibit 10 and OP’s Supplemental Setdown Report, dated October 30, 2015, Exhibit 12.

Zoning Commission Comments	Applicant's Response⁹	OP Analysis
The building design appears historicist and could feel more modern. Consider eliminating the "Watkins Alley" graphic on the southern building.	The Applicant states the building was designed to recall the history of the neighborhood and believes the proposed design is a balance of neighborhood context and more modern style.	OP has recommended revisions to the E Street façade to better reflect the surrounding neighborhood character. The Applicant has not proposed removing "Watkins Alley" from the rear façade.
Concern about lack of cross-ventilation for units that back-up to one another.	The Applicant has provided floor plans demonstrating that circulation and other functions not requiring ventilation have been sited at the rear of the back-to-back units.	
Provide context for the E Street SE elevation.	The Applicant provided a perspective for the E Street SE elevation.	
Explain choice of standing seam metal on vertical walls at the upper levels of the project.	The Applicant believes that the use of standing seam metal is in keeping with the industrial style, provides texture, and is a high quality material.	OP does not object to the use of standing seam metal at the upper levels.
Provide details on the lighting proposed for the project.	The Applicant has provided a lighting plan for the project, which includes proposed light locations and fixture design.	The Applicant should ensure that the proposed lighting is directed downward, does not interfere with vehicular circulation in the alley, and does not negatively impact adjoining property owners.
Provide justification for requested rear yard flexibility.	The Applicant states that provision of the required rear yards would result in a more suburban style of development and an inefficient site plan.	The requested rear yard relief allows for a compact and efficient site plan that provides for central, shared courtyards for residents.
Provide additional detail about the second floor building connection.	The Applicant states that the connection is necessary for the project to function as a single building on a single record lot for zoning purposes.	The Applicant should provide floor plans demonstrating how the space will be allocated in the second/third floor connections at E Street and in the southern building.
Describe potential for future closure of E Street pedestrian passageway.	The Applicant states that the pedestrian passageway would not be gated.	Adjoining property owners have expressed concerns about the increased pedestrian traffic through the alley. OP supports the pedestrian connection remaining open and ungated.

⁹ See Applicant's Pre-Hearing Statement, dated January 20, 2016, Exhibit 14.

Zoning Commission Comments	Applicant's Response ⁹	OP Analysis
Concern about the proposed location of the garage entry, as well as circulation for trash trucks. Consider rotating the garage 180 degrees or "flipping" it to make the entrance closer to where the cars are coming from.	<p>The Applicant provided an auto turn analysis for trash trucks accessing the project.¹⁰</p> <p>The Applicant evaluated alternate garage entry locations and found that the proposed location was best given alley widths, turning movements, pedestrian traffic, and other potential conflicts.</p>	While the Commission and adjoining property owners expressed concerns about the proposed garage entry location, OP and DDOT believe that the proposal is acceptable provided all turning movements work.
Provide additional information about the pedestrian experience along the alley, as well as how pedestrians would access the alley units.	The Applicant provided a circulation plan that demonstrates how tenants would access the alley units.	The north south alley should be widened as the result of a proffer by Insight, the developer of the Bowie Trash site (ZC Case 15-33), which should improve the pedestrian experience in the alley. Additionally, the provision of the passageway from E Street SE results in an alternative route for pedestrian to circulate through the alley system.
Provide the results of any test borings conducted on the site and describe whether there is a need for environmental cleanup.	The Applicant states that soil test results indicated that volatile levels were below detection.	
Provide a clear breakdown of the IZ unit mix and evaluate IZ unit locations, as they appear to be clustered.		The IZ units still appear to be clustered in the northern portion of the project. The Applicant should complete the detailed IZ matrix.
Provide additional details on proposed public space improvements.	The Applicant states that the tree boxes on E Street (west of the alley entrance) and 13 th Street in Square 1043 would be improved subject to DDOT review and approval.	The Applicant should provide more specific information (landscaping, fencing, new street trees) about the proposed improvements.

JS/emv

¹⁰ See Applicant's Supplemental Statement, dated October 13, 2015, Exhibit 10, Tab A.